

Union Calendar No. 446

103D CONGRESS
2D SESSION

S. 1784

[Report No. 103-800]

AN ACT

To restore the Central Council of Tlingit and Haida Indian Tribes of Alaska to the Department of the Interior list of Indian entities recognized and eligible to receive Services from the United States Bureau of Indian Affairs.

OCTOBER 3, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 1994

Referred to the Committee on Natural Resources

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[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To restore the Central Council of Tlingit and Haida Indian
Tribes of Alaska to the Department of the Interior list
of Indian entities recognized and eligible to receive Serv-
ices from the United States Bureau of Indian Affairs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RESTORATION.**

4 The Secretary of the Department of the Interior shall
5 restore to the list, published in the Federal Register on
6 October 21, 1993 pursuant to 25 C.F.R. Part 83, the tribe

1 defined and recognized in the Act of June 19, 1935 (49
2 Stat. 388), as amended, relating to the Tlingit and Haida
3 Indians of Alaska.

4 **SECTION 1. SHORT TITLE.**

5 *This Act may be cited as the “Tlingit and Haida Sta-*
6 *tus Clarification Act”.*

7 **SEC. 2. FINDINGS.**

8 *The Congress finds and declares that—*

9 *(1) the United States has acknowledged the*
10 *Central Council of Tlingit and Haida Indian Tribes*
11 *of Alaska pursuant to the Act of June 19, 1935 (49*
12 *Stat. 388, as amended, commonly referred to as the*
13 *“Jurisdiction Act”), as a federally recognized Indian*
14 *tribe;*

15 *(2) on October 21, 1993, the Secretary of the In-*
16 *terior published a list of federally recognized Indian*
17 *tribes pursuant to part 83 of title 25 of the Code of*
18 *Federal Regulations which omitted the Central Coun-*
19 *cil of Tlingit and Haida Indian Tribes of Alaska;*

20 *(3) the Secretary does not have the authority to*
21 *terminate the federally recognized status of an Indian*
22 *tribe as determined by Congress;*

23 *(4) the Secretary may not administratively di-*
24 *minish the privileges and immunities of federally rec-*

1 *ognized Indian tribes without the consent of Congress;*
2 *and*

3 *(5) the Central Council of Tlingit and Haida In-*
4 *dian Tribes of Alaska continues to be a federally rec-*
5 *ognized Indian tribe.*

6 **SEC. 3. REAFFIRMATION OF TRIBAL STATUS.**

7 *The Congress reaffirms and acknowledges that the*
8 *Central Council of Tlingit and Haida Indian Tribes of*
9 *Alaska is a federally recognized Indian tribe.*

10 **SEC. 4. DISCLAIMER.**

11 *(a) IN GENERAL.—Nothing in this Act shall be inter-*
12 *preted to diminish or interfere with the government-to-gov-*
13 *ernment relationship between the United States and other*
14 *federally recognized Alaska Native tribes, nor to vest any*
15 *power, authority, or jurisdiction in the Central Council of*
16 *Tlingit and Haida Indian Tribes of Alaska over other feder-*
17 *ally recognized Alaska Native tribes.*

18 *(b) CONSTITUTION OF CENTRAL COUNCIL OF THE*
19 *TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA.—Nothing*
20 *in this Act shall be construed as codifying the Constitution*
21 *of the Central Council of the Tlingit and Haida Indian*
22 *Tribes of Alaska into Federal law.*

23 **SEC. 5. PROHIBITION AGAINST DUPLICATIVE SERVICES.**

24 *Other federally recognized tribes in Southeast Alaska*
25 *shall have precedence over the Central Council of Tlingit*

1 *and Haida Indian Tribes of Alaska in the award of a Fed-*
2 *eral compact, contract or grant to the extent that their serv-*
3 *ice population overlaps with that of the Central Council*
4 *of Tlingit and Haida Indian tribes of Alaska. In no event*
5 *shall dually enrolled members result in duplication of Fed-*
6 *eral service funding.*

Passed the Senate November 24 (legislative day, November 23), 1993.

Attest:

WALTER J. STEWART,
Secretary.